

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 17-107 (DWF/TNL)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>GOVERNMENT'S RELPY IN</b>
	)	<b>SUPPORT OF GOVERNMENT'S</b>
	)	<b>MOTION TO CONTINUE TRIAL</b>
MICHAEL MORRIS, <i>et al.</i> ,	)	<b>AND EXCLUDE TIME UNDER</b>
	)	<b>SPEEDY TRIAL ACT</b>
Defendants.	)	
	)	

The United States of America, by and through its attorneys Gregory G. Brooker, United States Attorney for the District of Minnesota, and Melinda A. Williams, Laura M. Provinzino, and Julie E. Allyn, Assistant United States Attorneys, hereby makes the following reply in support of its motion to continue the trial date and exclude time from the Speedy Trial Act (Dkt. # 719).

On March 15, 2018, the government filed a motion to continue the trial date. Dkt. # 719. In its motion, the government sought a trial date certain, noting that a continuance of the currently-set May 4, 2018 is unavoidable (the magistrate judge's report and recommendation in the case is set to be issued on May 14, 2018) and that a date certain is particularly important in this case given the scope of the trial and the need to coordinate the travel of law enforcement and civilian witnesses located across the United States and abroad.

On March 16, 2018, the Court ordered the defendants to respond to the government's motion by March 23, 2018. Dkt. # 728. Defendants Morris (Dkt. # 731), Khotpratoom (Dkt. # 732), and Ruttanamongkongul (Dkt. # 733) did not oppose a

continuance of the trial date to November 5, 2018, the first date the Court and all of the parties are available for a four-week block to try the case. Defendant Unpradit (Dkt. # 745) took no position as to the continuance. The only defendant who objected to the continuance was defendant Kimmy (Dkt. # 727).

Defendant Kimmy's opposition motion is without merit. In his response, defendant Kimmy does not dispute the government's calculation that no time has run from the speedy trial clock. Nor does he suggest a viable alternative date for trial in this matter. Rather, without citation to authority, defendant Kimmy asserts that he should be released from custody pending trial, re-packaging arguments that he previously made to the Court in his motion for release, arguments that this Court considered and rejected.<sup>1</sup> Dkt. # 386.

This is a complex case where no time has run from the speedy trial clock. The current trial date is an impossibility. The only defendant opposed to the continuance offers no alternative and points to no authority as to why this continuance is not in the interests of justice. Moreover, the proposed trial date—the first available for the

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<sup>1</sup> Although not particularly relevant to the continuance, defendant Kimmy once again asserts that the government has “scant” evidence of his ties to the criminal organization and that he is arguably the “least-involved” person in this conspiracy. This is simply incorrect. As set forth in the superseding indictment, defendant Kimmy was a “house boss” with the criminal organization in Austin, Texas. Accordingly, he operated at a higher level than many others in the sex trafficking organization. Moreover, the case against defendant Kimmy is strong; the evidence against him includes victim testimony, co-defendant testimony, law enforcement surveillance, and electronic evidence.

Court and the parties—would allow the government to voluntarily disclose *Jencks* materials well in advance of trial and would promote an efficient trial for all involved.

Accordingly, the government respectfully moves the Court for an order continuing the date of the trial in the interests of justice to November 5, 2018.

Dated: March 26, 2018

Respectfully Submitted,

GREGORY G. BROOKER  
United States Attorney

*s/ Melinda A. Williams*

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